

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENWOOD DIVISION

2007 NOV 15 A 9 56  
USDC CLERK, CHARLESTON, SC

David Ezell Simpson, )  
)  
Petitioner, )  
)  
v. )  
)  
State of South Carolina, )  
)  
Respondent. )

Civil Action No. 8:06-2890-SB-BHH

**ORDER**

This matter is before the Court upon the Petitioner's request for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Pursuant to Local Rule 73.02(B)(2)(a), this matter was referred to United States Magistrate Judge Bruce Howe Hendricks for preliminary review.

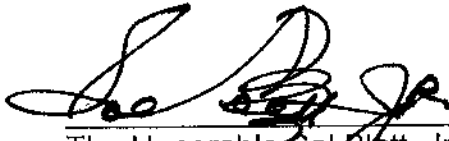
In the R&R, filed on October 17, 2007, the Magistrate Judge recommends that the Court grant the Respondent's motion for summary judgment and dismiss the Petitioner's § 2241 petition with prejudice. The R&R further recommends that the Court deny the Petitioner's motion for injunctive relief as moot. Attached to the R&R was a notice advising the Petitioner of his right to file specific, written objections to the R&R within ten days after receipt of a copy of the R&R. To date, no such objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Petitioner filed no objections to the R&R, there are no portions of the R&R to which the Court must conduct a de novo review. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this

Court, and it is

**ORDERED** that the Respondent's motion for summary judgment is granted; the Petitioner's § 2241 petition is denied and dismissed with prejudice; and the Petitioner's motion for injunctive relief (Doc. #16) is denied as moot.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
The Honorable Sol Blatt, Jr.  
Senior United States District Judge

November 14, 2007  
Charleston, South Carolina